Applicant: Ebden et al. Attorney's Docket No.: 06275-436US1 / 100795-1P US

Serial No.: 10/522,871 Filed: August 18, 2005

Page : 9 of 10

## **REMARKS**

Claims 1-7, 9-11, and 14-32 are pending. Applicants have cancelled claims 9-11, 15-18, and 21 without prejudice. Claims 1-7, 14, 19, 20, and 22-32 will therefore be pending upon entry of the proposed amendments.

No new matter is introduced by these amendments, which are made for the sole purpose of expediting prosecution of the present application. Applicants reserve the right to pursue any cancelled subject matter in one or more later filed continuing applications.

## Rejections under 35 U.S.C. § 112, second paragraph

Claims 9-11, 15, and 16 are rejected under 35 U.S.C. § 112, second paragraph for allegedly being indefinite. The rejections are moot in view of the cancellation of claims 9-11, 15, and 16.

## Rejections under 35 U.S.C. § 112, first paragraph

Claims 10, 11, 15, 16, 18, and 21 are rejected for allegedly failing to comply with the enablement requirement of 35 U.S.C. § 112, first paragraph. The rejections are moot in view of the cancellation of claims 10, 11, 15, 16, 18, and 21.

Applicant: Ebden et al. Attorney's Docket No.: 06275-436US1 / 100795-1P US

Serial No.: 10/522,871 Filed: August 18, 2005

Page : 10 of 10

## **CONCLUDING FORMALITIES**

The fee in the amount of \$1,110 for the three month extension of time is being paid concurrently herewith on the Electronic Filing System (EFS) by way of a Deposit Account authorization. Please apply any other charges or credits to deposit account 06-1050, referencing Attorney Docket No. 06275-436US1/100795-1P US.

Respectfully submitted,

Date: December 23, 2008 /John T. Kendall/

John T. Kendall, Ph.D. Reg. No. 50,680

Fish & Richardson P.C. 225 Franklin Street Boston, MA 02110

Telephone: (617) 542-5070 Facsimile: (877) 769-7945

22093418.doc